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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,452	12/05/2001	Graeme John Proudler	B-4277PCT	9816
7590	03/19/2004		EXAMINER DO, THUAN V	
Richard P Berg Hewlett Packard Company IP Administration Mail Stop 35 3404 East Harmony Road Ft Collins, CO 80528-9599			ART UNIT	PAPER NUMBER
			2825	
			DATE MAILED: 03/19/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/913,452	<b>Applicant(s)</b> PROUDLER ET AL.	
	<b>Examiner</b> Thuan Do	<b>Art Unit</b> 2825	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-17 and 22-52 is/are pending in the application.
- 4a) Of the above claim(s) 11 and 18-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-17 and 22-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/5/03</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This is non final action responsive to amendment entered on 11/17/2003. Claims 1-10,12-17,22-52 are pending in this office action. Claims 11, 18-21 have been canceled.

#### ***Claim objection***

Claim 52 has a minor error of dependency. Correction is required.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-10,12-17,22-52 are rejected under 35 U.S.C. 102(b) as being unpatentable over Ginter et al., Pat. No. 5892900.

**Regarding claim 1:** Ginter teaches an apparatus comprising, mounted on an assembly, main processing means, main memory means and a trusted device, each being connected for communication with one or more other components on the assembly, the trusted device being arranged to acquire a true value of an integrity metric of the computing apparatus (col. 68, lines 29-42 ).

**Regarding claims 2-10,44-49:** These claims teach a similar apparatus of claim 1 and rejected in a similar manner.

**Regarding claim 12:** Ginter teaches a method comprising:  
the trusted device acquiring the true value of the integrity metric of the trusted computing apparatus (Figure 9 at least box 524) ;

the user generating a challenge for the trusted computing apparatus to prove its integrity and submitting the challenge to the trusted computing apparatus (col. 68, lines 29-42) ;

the trusted computing apparatus receiving the challenge, and the trusted device generating a response including the integrity metric and returning the response to the user apparatus (col. 19, lines 29-58 using evaluation process ) ; and

the user receiving the response, extracting the integrity metric from the response and comparing the integrity metric with an authenticated metric for the trusted computing apparatus that had been generated by a trusted party (col. 9, lines 19-30 using VDE extraction ).

**Regarding claim 13:** Ginter teaches a method with security algorithm (col. 45, lines 49-62).

**Regarding claims 14-17,50:** These claims teach a similar method of claim 12 and rejected in a similar manner.

**Regarding claim 22:** Ginter teaches computing apparatus comprising an assembly; a main processor, a main memory and a trusted device, each being mounted on the assembly and connected for communication with other components mounted on the assembly, wherein the trusted device is adapted to acquire a value of an integrity metric (figure 9 and col. 68, lines 29-42 ) that measures that the computing apparatus is operating as intended and determining the correctness of the acquired value of the integrity metric (col. 64, lines 1-15 for correctness determination ) .

**Regarding claims 23-43,51,52:** These claims teach a similar apparatus of claim 22 and rejected in a similar manner.

### ***Response to Arguments***

3. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

### CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan Do whose telephone number is 571-272-1891. The examiner can normally be reached on Monday-Friday 8:30-5:30 (except 2<sup>nd</sup> Fridays).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Smith can be reached on 571-272-1907. The fax phone numbers for the organization where this application or proceeding is assigned are 703 305-3431 for regular communications and 703-305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0596.



Thuan Do  
Patent examiner  
3/8/04